

Significant Legislative Rule Analysis
WAC 246-817-160
Concerning Graduates of Nonaccredited Schools
April 28, 2014

Describe the proposed rule, including a brief history of the issue, and explain why the proposed rule is needed.

The Dental Quality Assurance Commission (commission) is proposing this rule amendment to update the current standards, credentialing process, and outdated references. The rule is very outdated and no longer provides meaningful guidance to an applicant for dentist licensure.

Examples of inaccuracies of the current rule include:

- The American Dental Association Commission on Dental Accreditation (CODA)'s name needs correction within the rule. CODA does not accredit schools outside of the United States, so graduates of all foreign schools are subject to this rule.
- The World Health Organization's (WHO) list of dental schools is referenced in (1), but the WHO no longer lists them.
- A large number of non-accredited dental schools only offer a bachelor's of dental surgery as their terminal degree, but the level of preparation associated with such a degree does not align with the didactic and clinical experience required of a dental candidate in Washington State.

Is a Significant Analysis required for this rule?

Yes, as defined in RCW 34.05.328 the proposed rule requires a significant analysis.

Clearly state in detail the general goals and specific objectives of the statute that the rule implements.

RCW 18.32.002 includes establishing qualifications for licensure as part of the commission's purpose. Additionally, RCW 18.32.040 requires the commission to approve dental school institutions. As allowed by RCW 18.32.0365, the commission has established minimum licensure requirements for graduates of non-accredited dental schools in WAC 246-817-160.

Explain how the department determined that the rule is needed to achieve these general goals and specific objectives. Analyze alternatives to rulemaking and the consequences of not adopting the rule.

The current rule is outdated. For the period of September 2006 through September 2008, twenty-one percent (132 of 636) of dentist licenses issued were graduates of non-CODA accredited education.

Amending WAC 246-817-160, as proposed, is the best approach because it will provide these graduates with clear, current educational requirements that must be met to obtain licensure in the state of Washington.

Explain how the department determined that the probable benefits of the rule are greater than the probable costs, taking into account both the qualitative and quantitative benefits and costs and the specific directives of the statute being implemented.

Rule Overview

The proposed rule updates the current licensure standards, credentialing process, and outdated references.

Rule Cost/Benefit Analysis

The proposed rule removes credentialing requirements that are currently obsolete. The rule is very outdated and no longer provides meaningful guidance to an applicant for dentist licensure. The proposed rule will provide graduates of non-accredited dental education with clear, current educational requirements that must be met to obtain licensure in the state of Washington while assuring that graduates meet the existing minimum requirements for dental licensure. There may be a minimal cost to applicants to have their official school transcript transcribed to English if necessary.

Identify alternative versions of the rule that were considered, and explain how the department determined that the rule being adopted is the least burdensome alternative for those required to comply with it that will achieve the general goals and specific objectives state previously.

The proposed rule is the only option to achieve minimal credentialing requirements and is the least burdensome option as it provides clear, current educational requirements that must be met to obtain licensure in the state of Washington.

Determine that the rule does not require those to whom it applies to take an action that violates requirements of another federal or state law.

The rule does not require those to whom it applies to take an action that violates requirements of federal or state law.

Determine that the rule does not impose more stringent performance requirements on private entities than on public entities unless required to do so by federal or state law.

The rule does not impose more stringent performance requirements on private entities than on public entities.

Determine if the rule differs from any federal regulation or statute applicable to the same activity or subject matter and, if so, determine that the difference is justified by an explicit state statute or by substantial evidence that the difference is necessary.

The rule does not differ from any applicable federal regulation or statute.

Demonstrate that the rule has been coordinated, to the maximum extent practicable, with other federal, state, and local laws applicable to the same activity or subject matter.

There are no other applicable laws.